

Camellia Baray, State Bar No. 179219
BONJOUR, THORMAN, BARAY & BILLINGSLEY
24301 Southland Dr., Ste 312
Hayward, Ca. 94545
Telephone: (510) 785-8400
Facsimile: (510) 670-0955
camellia@btbandb.com

Attorneys for Defendant Billie Dempsey

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

No. CR 11-0291 SBA

Plaintiff,

STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE SENTENCING
FROM MAY 24, 2012 TO JULY 10, 2012

v.

Date: May 24, 2012

BILLIE DEMPSEY et al.,

Time: 10:00 a.m.

Court: Hon. Sandra Brown Armstrong

Defendants.

_____ /

The above-captioned matter is set on May 24, 2012 at 10:00 a.m. before the Hon. Sandra Brown Armstrong for sentencing. The parties request that the Court vacate this date and reset the matter for sentencing on July 10, 2012 at 10:00 a.m.

The reason for this request is that Mr. Dempsey continues to suffer from health complications. He is currently undergoing diagnostic tests for intestinal and urinary tract

1 problems. In addition, Mr. Dempsey underwent a surgical procedure to address one or more
2 hernias on April 16, 2012. Both parties, along with Connie Cook, the US Probation Officer
3 assigned to this case, agree that Mr. Dempsey should be allowed to recover fully from his
4 surgery and complete diagnostic testing and treatment for any intestinal issues before sentencing
5 in this matter.
6

7 In addition, the defense is in the process of providing Ms. Cook with copies of Mr.
8 Dempsey's medical records. Since the inception of this case, Mr. Dempsey has been
9 hospitalized on more than one occasion and has had two surgical procedures performed (apart
10 from his most recent surgery, Mr. Dempsey also had bypass surgery). Mr. Dempsey treats with
11 Kaiser and it can take several weeks for Kaiser to respond to requests for medical records. The
12 defense believes it should have the records pertaining to Mr. Dempsey's most recent surgery and
13 subsequent follow up appointments within the next 8 weeks. Once the records are received,
14 they will be forwarded to Ms. Cook for consideration in her pre-sentence report.
15
16

17 ///

18 ///

19 ///

1 The parties therefore stipulate and respectfully request that the sentencing currently
2 scheduled for May 24, 2012 be reset to July 10, 2012.
3

4
5 SO STIPULATED.
6

7 Dated: April 19, 2012

_____/S/_____
James Mann
Assistant United States Attorney
9

10
11 Dated: April 19, 2012


_____/S/_____
Camellia Baray
Attorney for Mr. Dempsey
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

27 Stipulation and Proposed Order to Continue
28 CR-11-0291 SBA

1 For good cause shown, the sentencing hearing set for May 24, 2012 is continued to July
2 10, 2012 at 10:00 a.m.

3
4
5 IT IS SO ORDERED.

6
7
8 DATED: 5/4/12


Hon. Saundra Brown Armstrong
United States District Judge